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The Law Library

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THE
UNIVERSITY OF MICHIGAN
AN ENCYCLOPEDIC SURVEY

In Four Volumes

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THE LAW LIBRARY

THE history of the Law Library dates from the establishment of the Law School in 1859. In June of that year, having in mind the Law Department that was to open the following October, the Regents appropriated \$2,000 for the purchase of law books. That any books were actually bought before the department opened seems unlikely. It is more probable that the first Law Library was composed of a small collection of about 350 volumes donated by Judge Thomas M. Cooley, and duly accepted by the Regents in October, 1859. This first collection is said to have included ten volumes of *Michigan Reports*, the reports of the Supreme Court of Pennsylvania, and those of some of the New England states.

The original collection was housed in a

room in the building that became the South Wing of University Hall. This same space was later occupied by the offices of Controller John C. Christensen and Vice-President Shirley Smith. The room was furnished with a rough deal table and a few wooden chairs and was heated by a box stove. Here the collection remained until 1863, when it was moved to the Law Building, which had just been completed. By 1931 the collection occupied all of the third floor and most of the second. In June of that year the Library was moved to the handsome new building donated by William W. Cook. The William W. Cook Legal Research Building, which forms a part of the Law Quadrangle, now houses the law collection and is probably the largest building in the world devoted exclusively

to a law library. It has accommodations for 500 readers in the main study room; carrells in the stacks for graduate students; and approximately eighty studies for members of the faculty, visiting lawyers and judges, and research workers.

In 1860 the Regents appropriated a sum "not to exceed \$10" for the publication of a circular requesting the donation of law books. In that same year the Regents granted fifteen dollars "to pay for the services of . . . [a] Law Librarian," and during the ensuing years various small sums were appropriated for books. Members of the Law School faculty frequently requested additional aid for the Library, but their requests, although invariably granted, were so modest that no very great improvement to the Library resulted. The necessity for a large collection of books seems not to have been appreciated fully at the time. With a collection of about 1,000 volumes, the Law faculty in its *Announcement* of 1861 was able to say: "A well selected and very useful law library has been purchased and arranged for the use of students."

Whether as a result of the ten dollars spent for advertisement in 1861 or for some other reason, the Library in 1866 received a gift of almost 800 volumes from the Honorable Richard Fletcher, formerly a justice of the Massachusetts Supreme Court. Justice Fletcher had no connection with the University, and seems to have been moved entirely by his admiration for this institution. In return for his gift he received a copy of a resolution by the Regents which read in part:

Your Committee hail this beginning of liberal things toward this growing seminary of learning. The wise foresight which laid the foundations of a University in the wilderness has already deserved and will receive the applause of the world; but we yet need the contributions of private munificence, in order to secure and perfect the glorious work so

well begun. We would manifest our appreciation of Judge Fletcher's donation, and perpetuate his memory by engraving it upon the history of the University of Michigan. (*R.P.*, 1864-70, p. 139.)

Between the time of the Fletcher gift in 1866 and the year 1885 the Library increased to more than 4,000 volumes. In 1885 a gift of 5,000 volumes that is said to have more than doubled the size of the collection was received from Christian Buhl, a Detroit businessman. From the same donor came a bequest of \$10,000 in 1894. The condition of the Library at the time of the Buhl gift is well set out in a letter of thanks written by the Law School faculty to the donor. The letter said in part:

We have worked under great disadvantages in being confined for the students' means of reference to a comparatively small collection of works of prime necessity. We have never had the facilities needful for the extended study of jurisprudence in the library. Our own work has had to be done by the aid of other libraries, and members of our classes who wished to follow out and verify doctrines fully, have had to do much of that work elsewhere.

President Angell was even more specific. In his letter to Mr. Buhl he said:

To show you that it [the collection] will be of great use to us, I may say that it will fill many sad gaps in our Law Library. How serious these gaps are I almost hesitate to say. But the truth is that although we have law students from all over the Union, there are thirty States and Territories which are absolutely unrepresented by a single volume of Reports. The Canadian Reports and the Irish Reports are wanting, and our English Reports and U. S. Circuit Court Reports are very defective. More text-books are also needed. Many other serious wants might be specified.

It is interesting to note that after the Buhl gift was received the students held a mass meeting at which they drew up resolutions thanking the donor.

The first law librarian was a student, Isaac Marston, who later became a justice of the Supreme Court of Michigan. Other law students who served as librarians in the early days were Levi L. Barbour, later Regent and benefactor of the University, and William R. Day, who afterwards became a justice of the United States Supreme Court. The main duties of the student-librarian in those days were to open and close the Library and to keep order in the reading room. The librarian had no part in the selection of books. He was a custodian, pure and simple. It was not, in fact, until 1883 that a permanent librarian was appointed, with the title of Assistant Librarian, who was to give his full time to the care of the law collection. Several years later, in 1889, this first full-time Librarian, Joseph Hardcastle Vance ('61), was saddled with additional duties. He was "to render such assistance as may be required by the Law Faculty, to the Dean of the Law Department, in the matter of the correspondence of that Department, and to the Law Faculty in connection with the Moot Court Cases."

Joseph H. Vance served until 1899, when Judge Victor Hugo Lane ('74, LL.B. '78) was appointed Librarian. Vance continued to hold the title of Assistant Librarian until his death in 1900.

In 1901 Lane very wisely procured the appointment of a trained Assistant Librarian, Gertrude E. Woodard, a woman of unusual ability and tireless energy. She started an accurate record of accessions—the first the Library had ever had; she also began work on the Library's first catalogue. In addition to those duties Miss Woodard did all of the ordering, assisted in the selection of materials, and worked at times at the reference desk.

Unfortunately, much important material readily procurable in the first two

decades of the present century was rejected by the faculty on the ground that there was no room to shelve it—material which is now unobtainable. Judge Lane, although he continued as Librarian until 1926, devoted most of his time to teaching and research and took little active part in the administration of the Library. Nevertheless, he did render valuable assistance in building up the collection, which increased during the twenty-six years of his administration from about 18,000 to 55,000 volumes. A large part of the credit for the development of the Library during this period must go to Dean Henry M. Bates, who had been at one time librarian of the Chicago Law Institute, and who brought with him to Michigan a genuine appreciation of the value of research material in a library. Although his own time was, of necessity, given largely to teaching and to the administration of the Law School, he showed from the beginning a keen personal interest in the development of the law collection, and saw to it that his colleagues obtained the materials necessary for their research.

In 1925, Hobart R. Coffey (Ohio State '18, LL.B. Michigan '22, J.D. *ibid.* '24) was appointed Assistant Law Librarian. He had spent the preceding year as a Carnegie fellow in international law at the University of Paris, and by action of the Regents was permitted to remain in Europe for another year to fit himself better for the work of Law Librarian. He spent the year 1925–26 at the universities of Berlin and Munich studying foreign and international law, preparing bibliographies, and locating and purchasing foreign materials for the Law Library.

On his return to Ann Arbor in 1926 Coffey was made Law Librarian and Assistant Professor of Law, succeeding Judge Victor Lane. In 1927 his title was changed to Professor of Law and Law Librarian, and in 1944 he was made Director of the Law Library.

During the early period of development of most American law libraries little attention seems to have been given to the importance of statutory material. Judicial decisions were regarded as law, but the same could hardly be said for the acts of legislatures. At Michigan no effort to collect statutes seems to have been made before 1886. In that year the Dean was able to secure as gifts the latest compilations of statutes for about one-fourth of the states. No organized effort was made to secure the early statutes or session laws of the states until almost twenty years later. By that time many of the old laws had become very scarce, and copies could be acquired only at considerable cost in effort and money. The accession records for the period show, however, that all statutory material was selected with the greatest care and discrimination. One may regret that more money could not have been provided for staff and books in those early days, but at the same time one must admit that somehow the foundations were laid for a truly great collection.

Although Harvard began to collect foreign law materials as early as 1841, our Law Library seems to have had few, if any, books dealing with foreign law until about 1897, when part of the Buhl bequest is said to have been used for the purchase of foreign material. The accession records, which began in 1900, reveal that the "foreign material" referred to was books (principally statutes and court decisions) for England and her colonies. Because of the common-law background of most British possessions we should today scarcely regard their legal materials as "foreign." No works on German, French, or Italian law appear in our accession records until the first two decades of the twentieth century, and there were very few of those. Even as late as 1920 the foreign law collection occupied

only a few shelves in the workroom of the order department.

Between 1920 and 1925 three large foreign libraries were purchased: the Star Hunt Collection of Spanish and Mexican Law; the Heinrich Lammasch Collection, devoted largely to international law; and the Viollet Collection, which for the most part related to French law and legal history. In 1929 the Library acquired the collection of private international law which formerly belonged to Professor Antoine Pillet of the Faculty of Law of the University of Paris. In 1935 we acquired the library of Professor Francesco Carrera, eminent criminologist, of the University of Pisa. All of these purchases greatly enriched the Library.

No attempt seems to have been made to acquire an international law section until about 1919, when Edwin De Witt Dickinson was added to the staff of the Law School. Professor Dickinson, whose main interest had been public and private international law, immediately recognized the inadequacy or, in fact, the almost total lack of books and documents in his field. He prepared bibliographies and want lists and was instrumental in helping the Library to acquire many of the important and fundamental source materials in international law and relations. The systematic effort begun in 1919 has been continued through succeeding years and has resulted in the University's having the most complete collection to be found west of the Atlantic seaboard. It has attracted scholars not only from this country but from many other parts of the world.

Professor Joseph Horace Drake, a member of the Law School faculty from 1907 to 1930, had a lively interest in both Roman and Comparative Law. In 1923-24, while on a leave of absence in Europe, spent principally in Germany

and France, he helped the Library to acquire its first important materials from those countries. In the following three decades great emphasis was placed on the acquisition of the constitutions, codes, laws, and judicial decisions of all important foreign countries. To find this material and arrange for its purchase the Director of the Library made several trips to the various countries of Europe, including the Soviet Union, two trips to Mexico and Central America, and one to the Caribbean and South America. The foreign law section of the Library is now one of the outstanding collections of the world.

After 1926, the Library staff was gradually increased, new methods were introduced, and plans were made and carried out for the development of the Library on a scale which had become necessary owing to the greatly expanded needs of the School. As of 1954 the staff consisted of twenty full-time and twenty-three part-time employees.

When the present Director took over the administration of the Library in 1926 the collection numbered about 55,000 volumes. In 1954 the figure was approximately a quarter of a million. Serial publications currently received number more than three thousand. The annual increase in books is now approximately ten thousand volumes.

The achievements of a library can rarely be attributed solely to the wisdom and competence of the director. Without generous support from the administration and without a competent staff most libraries would make little progress. Although the Law Library was never well supported during the first sixty years of its history, appropriations for books and staff over the past thirty years have been reasonably adequate. A small amount of support from trust funds has supplemented the regular University appropriations. Dean E.

Blythe Stason has continued the wise policies of his predecessor, Dean Henry M. Bates, and has seen to it that the Library has received its fair share of the funds available to the School.

No sketch of the Library would be complete without some mention of the staff members who, while working quietly behind the scenes, have contributed so much to the achievements of the Library. Of these staff members, Gertrude E. Woodard, already mentioned, was outstanding. She was succeeded as Assistant Law Librarian by Elizabeth Beal Steere ('10, A.M.L.S. '30) who served until 1918. Miss Steere was followed by Blanche E. Harroun who occupied the position until 1924, when she was succeeded by H. Rebecca Wilson ('21, A.M.L.S. '28). She served until 1927. In 1928 Esther Betz ('15, A.M.L.S. Michigan '29) was appointed Assistant Law Librarian and has continued in that position until the present time. Bessie Margaret Johnson (Park College '17), Chief Reference Librarian, has served since 1929; H. Rebecca Wilson returned as Chief Order Librarian in 1931. Catherine Maria Campbell ('15, A.M. '24), Chief Catalogue Librarian began her work in the Library in 1924.

The Law Library is part of the University Library system, but from the moment of its establishment it has been autonomous, operated as a part of the Law School, with its own administration and staff. The Director reports to the Dean and faculty of the Law School. He is aided by a committee of the Law School faculty and a staff of technically trained assistants. With the General Library and all other libraries on the campus there has existed from the earliest times the closest co-operation.

The Law Library is maintained primarily as a research collection, which means that practically any volume that the Library owns can be made available

to the reader on a few minutes' notice. Circulation outside the building is limited to a small part of the collection which is not of a strictly reference character.

While the Library is intended to serve the research and teaching needs of the Law School, it is open not only to the

students and faculty of the University generally, but to lawyers and other members of the public who have a legitimate use for legal materials. Lawyers now come from all parts of the country to use the extraordinary collection of books and documents available.

HOBART COFFEY

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